

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**ORDER APPROVING
TRUSTEE'S MOTION AND MEMORANDUM OF LAW
TO AFFIRM HIS DETERMINATIONS DENYING CLAIMS OF CLAIMANTS
HOLDING INTERESTS IN THE DAVID SHAPIRO NOMINEE, DAVID
SHAPIRO NOMINEE #2 AND DAVID SHAPIRO NOMINEE #3 PARTNERSHIPS**

Upon consideration of the Trustee's Motion and Memorandum to Affirm His Determinations Denying Claims of Claimants Holding Interests in the David Shapiro Nominee, David Shapiro Nominee #2, and David Shapiro Nominee #3 Partnerships (the "Motion") (ECF No. 16801), dated October 18, 2017, filed by Irving H. Picard, as trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff, and it appearing that due and proper notice of the Motion and the relief requested therein have been given; and the Trustee having filed a certificate of no objection representing that

no objection has been received and no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion; and no other or further notice needs to be given; and the Court having reviewed the Motion, the Declarations of Stephanie Ackerman and Vineet Sehgal in support of the Motion, the objections to claims determinations and the record in this case; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for relief granted herein, and after due deliberation and sufficient cause appearing therefor, **IT IS**

HEREBY:

ORDERED, that the relief requested in the Motion is hereby granted as set forth herein; and it is further

ORDERED, that the Trustee's denial of the customer claims of the Objecting Claimants listed on Exhibit 2 annexed to the supporting Declaration of Vineet Sehgal, a copy of which exhibit is attached hereto as Exhibit A, is affirmed and such claims are disallowed; and it is further

ORDERED, that the objections to the Trustee's determinations of the customer claims of the Objecting Claimants listed on Exhibit 2 annexed to the supporting Declaration of Vineet Sehgal, a copy of which exhibit is attached hereto as Exhibit A, are overruled; and it is further

ORDERED, that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York

November 21st, 2017

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 2 – OBJECTING CLAIMANTS

List Of Claimants Invested In The Limited Partnerships Identified In Exhibit 1 With
Outstanding Objections To The Trustee's Determination of Claim

Objection Party	Claim Number	Objection To Determination Docket Number	Counsel	Partnership Invested In	Partnership BLMIS Account Number
David Shapiro Nominee	N/A	2713 ¹	Becker & Poliakoff, LLP	N/A	1S0297
Hilda Drucker	010228	2714 ²	Becker & Poliakoff, LLP	David Shapiro Nominee	1S0297
David Drucker	010715	2714 ²	Becker & Poliakoff, LLP	David Shapiro Nominee	1S0297
Marilyn Komarc	013430	2715 ³	Becker & Poliakoff, LLP	David Shapiro Nominee	1S0297
Marilyn Komarc	013430	2775 ³	Becker & Poliakoff, LLP	David Shapiro Nominee	1S0297
Marilyn Komarc	013430	2777 ³	Becker & Poliakoff, LLP	David Shapiro Nominee	1S0297
Myra M. Levine	009397	2715 ³	Becker & Poliakoff, LLP	David Shapiro Nominee #2	1S0298
Myra M. Levine	009397	2775 ³	Becker & Poliakoff, LLP	David Shapiro Nominee #2	1S0298
Myra M. Levine	009397	2777 ³	Becker & Poliakoff, LLP	David Shapiro Nominee #2	1S0298
Elaine Langweiler	010899	2718 ⁴	Becker & Poliakoff, LLP	David Shapiro Nominee #3	1S0299
Frederick H. Mandel	014728	2718 ⁴	Becker & Poliakoff, LLP	David Shapiro Nominee #3	1S0299
Irving M. Sonnenfeld	011045	2718 ⁴	Becker & Poliakoff, LLP	David Shapiro Nominee #3	1S0299

1. The Motion seeks to overrule that portion of objection docket 2713 related to claim 003851, filed by David Shapiro Nominee, only insofar as it seeks customer status for the Objecting Claimants.
2. Objection docket 2714 was filed on behalf of David Shapiro Nominee as well as the Objecting Claimants. The Motion seeks to overrule the objection only insofar as it seeks customer status for the Objecting Claimants. The remainder of the objection will be addressed in a future motion.
3. Objection dockets 2715, 2775 and 2777 were filed on behalf of David Shapiro Nominee and David Shapiro Nominee #2 as well as the Objecting Claimants. The Motion seeks to overrule the objection only insofar as it seeks customer status for the Objecting Claimants. The remainder of the objection will be addressed in a future motion.
4. Objection docket 2718 was filed on behalf of David Shapiro Nominee #3 as well as the Objecting Claimants. The Motion seeks to overrule the objection only insofar as it seeks customer status for the Objecting Claimants. The remainder of the objection will be addressed in a future motion.